

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JAMES KELLY,

Defendant.

23-CR-113 (DEH)

SCHEDULING ORDER

DALE E. HO, United States District Judge:

WHEREAS a conference was held before the Court on January 19, 2024. It is hereby,

ORDERED that parties shall file any motions in limine by **February 14, 2024**; any oppositions to motions shall be filed by **February 21, 2021**; and any replies shall be filed by **February 28, 2024**.

ORDERED that parties shall appear for a final pretrial conference on **March 7, 2024 at 10:30 a.m.** in Courtroom 905 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007.

ORDERED that the first day of trial in this matter is adjourned to **March 11, 2024 at 9:00 a.m.** The trial will take place in in Courtroom 905 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007.

It is further **ORDERED** that, in light of the superseding indictment, the parties are directed to submit, by no later than **February 7, 2024**: (1) a revised brief, mutually acceptable description of the case, to be read to the venire; (2) a revised brief, mutually acceptable overview of the applicable law, to be read to the jury as part of the Court's initial instructions prior to opening statements; (3) revised proposed voir dire questions; (4) revised requests to charge; and (5) revised proposed verdict forms.

It is further **ORDERED** that, for the reasons stated on the record during the status conference on January 19, 2024, the Court will exclude time through March 7, 2024 from the Speedy Trial Act calculation pursuant to 18 U.S.C. § 3161(h)(7). After balancing the factors specified by statute, the Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendant in a speedy trial, because it will allow time for the consideration of additional discovery materials by the Defendant and his counsel; time for Defendant's counsel to consider and prepare any motions; and time for the parties to prepare for trial on the superseding indictment.

SO ORDERED.

Dated: January 22, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge